

12/11/01
U.S. PTO

12/14/01

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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**NEW UTILITY
PATENT APPLICATION
TRANSMITTAL**
*(only for new nonprovisional applications under
37 CFR 1.53(b))*

Attorney Docket Number 21153-04920

First Named Inventor Jeffrey D. Walker

Title Integrated optical device including a vertical lasing semiconductor optical amplifier

Express Mail Label No. EL566108267US

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U.S. PTO
JC82 10/14/01
12/11/01

APPLICATION ELEMENTS		ACCOMPANYING APPLICATION PARTS		
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)	7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))			
2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	8. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>			
3. <input checked="" type="checkbox"/> Specification <i>(preferred arrangement set forth below)</i>	Total Pages 43	9. <input checked="" type="checkbox"/> Power of Attorney or Authorization of Agent		
<input type="checkbox"/> Descriptive Title of the Invention <input type="checkbox"/> Cross Reference(s) to Related Case(s) <input type="checkbox"/> Statement Regarding Fed sponsored R & D <input type="checkbox"/> Background of the Invention <input type="checkbox"/> Brief Summary of the Invention <input type="checkbox"/> Brief Description of the Drawing(s) <input type="checkbox"/> Detailed Description <input type="checkbox"/> Claim or Claims <input type="checkbox"/> Abstract of the Disclosure				10. <input type="checkbox"/> 37 CFR 3.73(b) Statement
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113)	Total Sheets 28	11. <input type="checkbox"/> Preliminary Amendment		
5. Oath or Declaration	a. <input checked="" type="checkbox"/> New Declaration Total Pages 1	12. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s)		
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).				
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76				
ADDRESS TO: Box Patent Application Commissioner for Patents Washington, D.C. 20231				

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76: Continuation Divisional Continuation-in-part (CIP) of prior application No: _____

Prior application information: Examiner: _____ Group/Art Unit: _____

For **CONTINUATION OR DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS** Customer Number and Bar Code Label

00758

Name (Print/Type)	Michael W. Farn	Registration No. (Attorney/Agent)	41,015
Signature			Date December 11, 2001

0002/PTO(modified) U.S. Department of Commerce
Rev. 10/2001 Patent and Trademark Office**FEE TRANSMITTAL****TOTAL AMOUNT OF PAYMENT**

Subtotal (1) + Subtotal (2) + Subtotal (3) =

(\$620)**Complete if Known**

Application Number	Unassigned
Filing Date	December 11, 2001
First Named Inventor	Jeffrey D. Walker
Group Art Unit	Unassigned
Examiner Name	Unassigned



Attorney Docket Number

21153-04920

METHOD OF PAYMENT		FEES CALCULATION (continued)																																																																																																							
1. The Commissioner is hereby authorized to:		3. ADDITIONAL FEES																																																																																																							
<input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account † <input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		Large Entity Fee Code/Fee 105/\$130 127/\$50 147/\$2,520 115/\$110 116/\$400 117/\$920 118/\$1,440 128/\$1,960 119/\$320 141/\$1,280	Small Entity Fee Code/Fee 205/\$65 227/\$25 147/\$2,520 215/\$55 216/\$200 217/\$460 218/\$720 228/\$980 219/\$160 241/\$640	Fee Description Surcharge - late filing fee or oath Surcharge-late provisional filing fee or cover sheet For filing a request for reexamination Extension for response within first month† Extension for response within second month† Extension for response within third month† Extension for response within fourth month† Extension for response within fifth month† Notice of Appeal Petition to revive unintentionally abandoned application Utility Issue Fee (Or Reissue) Design Issue Fee Petitions to the Commissioner Submission of Information Disclosure Statement Request for Continued Examination (RCE) Recording each patent assignment per property (times number of properties) Filing a submission after final rejection (37 CFR 1.129(a)) For each additional invention to be examined (37 CFR 1.129(b))																																																																																																					
Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Other		2. FILING FEE <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Due</th> </tr> <tr> <th>Fee Code/Fee</th> <th>Fee Code/Fee</th> <th>Fee Description</th> <th>Fee Due</th> </tr> </thead> <tbody> <tr> <td>101/\$740</td> <td>201/\$370</td> <td>Utility Filing</td> <td>370</td> </tr> <tr> <td>106/\$330</td> <td>206/\$165</td> <td>Design Filing</td> <td></td> </tr> <tr> <td>108/\$740</td> <td>208/\$370</td> <td>Reissue</td> <td></td> </tr> <tr> <td>114/\$160</td> <td>214/\$80</td> <td>Provisional Filing</td> <td></td> </tr> <tr> <td colspan="2">SUBTOTAL (1)</td> <td>(\$370)</td> <td></td> </tr> </tbody> </table> 2. CLAIMS <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> </tr> <tr> <th>Fee Code/Fee</th> <th>Fee Code/Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>103/\$18</td> <td>203/\$9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>102/\$84</td> <td>202/\$42</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>104/\$280</td> <td>204/\$140</td> <td>Multiple dependent claim</td> </tr> <tr> <td>109/\$84</td> <td>209/\$42</td> <td>Reissue independent claims over original patent</td> </tr> <tr> <td>110/\$18</td> <td>210/\$9</td> <td>Reissue claims in excess of 20 and over original patent</td> </tr> <tr> <td colspan="2"></td> <td>SUBTOTAL (3)</td> <td>(\$40)</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th rowspan="2">For</th> <th rowspan="2">No. of Existing Claims</th> <th colspan="2">(Col. 1)</th> <th colspan="2">(Col. 2)</th> <th colspan="2">(Col. 3)</th> <th rowspan="2">Fee Due</th> </tr> <tr> <th colspan="2">minus*</th> <th>Highest No. Previously Paid For</th> <th colspan="2">Extra**</th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td>34</td> <td colspan="2"></td> <td>20 or 0</td> <td>=</td> <td>14</td> <td>x</td> <td>9</td> <td>=</td> <td>126</td> </tr> <tr> <td>INDEP</td> <td>5</td> <td colspan="2"></td> <td>3 or 0</td> <td>=</td> <td>2</td> <td>x</td> <td>42</td> <td>=</td> <td>84</td> </tr> <tr> <td colspan="10">[] First presentation of multiple dependent claim</td> <td>=</td> <td>0</td> </tr> </tbody> </table>			Large Entity	Small Entity	Fee Description	Fee Due	Fee Code/Fee	Fee Code/Fee	Fee Description	Fee Due	101/\$740	201/\$370	Utility Filing	370	106/\$330	206/\$165	Design Filing		108/\$740	208/\$370	Reissue		114/\$160	214/\$80	Provisional Filing		SUBTOTAL (1)		(\$370)		Large Entity	Small Entity	Fee Description	Fee Code/Fee	Fee Code/Fee	Fee Description	103/\$18	203/\$9	Claims in excess of 20	102/\$84	202/\$42	Independent claims in excess of 3	104/\$280	204/\$140	Multiple dependent claim	109/\$84	209/\$42	Reissue independent claims over original patent	110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent			SUBTOTAL (3)	(\$40)	For	No. of Existing Claims	(Col. 1)		(Col. 2)		(Col. 3)		Fee Due	minus*		Highest No. Previously Paid For	Extra**		TOTAL	34			20 or 0	=	14	x	9	=	126	INDEP	5			3 or 0	=	2	x	42	=	84	[] First presentation of multiple dependent claim										=	0
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SUBMITTED BY**Complete (if applicable)**

Typed or Printed Name

Michael W. Farn

Reg. Number

41,015

Signature

Date

December 11, 2001

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Jeffrey D. Walker
Title	Integrated optical device including a vertical lasing semiconductor optical amplifier
Atty Docket Number	21153-04920

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 11, 2001

Date



Signature

Michael W. Farn, Reg. No. 41,015

Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.